

8700194

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

# Sunseeds Genetics, Inc.

Takereas, there has been presented to the

## Secretary of Agriculture

an application requesting a certificate of protection for an alleged novel variety of sexually reproduced plant, the name and description of which are contained in the application and exhibits, a copy of which is hereunto annexed and made a part hereof, and the various requirements of LAW in such cases made and provided have been complied with, and the title thereto is, from the records of the Plant Variety Protection Office, in the applicant(s) indicated in the said copy, and WHEREAS, upon due examination made, the said applicant(s) is (are) adjudged to be entitled to a certificate of plant variety protection under the LAW.

NOW, therefore, this certificate of plant variety protection is to grant unto the said applicant(s) and the successors, heirs or assigns of the said applicant(s) for the term of eighteen years from the date of this grant, subject to the payment of the required fees and periodic replenishment of viable basic seed of the variety in a public repository as provided by LAW, the right to exclude others from selling the variety, or offering it for sale, or reproducing it, importing it, or exporting it, or using it in producing a hybrid or different ty therefrom, to the extent provided by the Plant Variety Protection Act 1542, as amended, 7 u.s.c. 2321 et seq.)

TOMATO

'Sun 1643'

In Lestimony Watherrot, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this 29th day of November in the year of our Lord one thousand nine hundred and ninety-one.

Co Madig on Surricultura

Allost:

Kernet Wheans Commissioner

Plant Variety Protection Office Agricultural Marketing Service

U.S. DEPARTMEN		FORM APPROVED: OMB NO. 0581-0055				
APPLICATION FOR PLANT VAR	if a p be iss held	Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued				
	ns on reverse)	· .	1-	S.C. 2426).		
1. NAME OF APPLICANT(S) Sunseeds		SUN 1643				
		Sunex 1643	-			
4. ADDRESS (Street and No. or R.F.D. No., City, St	ate, and Zip Code) 5.	PHONE (Include area code)	PVPC	PVPO NUMBER		
9800 Fairview Road Hollister, CA 95023		408) 636–9505		8700194		
6. GENUS AND SPECIES NAME	7. FAMILY NAME	(Botanical)	U	DAJE 1987		
Lycopersicon esculentum	Solanacea	e	FILING	TIME 9:30 WA.M. P.M.		
8. KIND NAME	9. DA	TE OF DETERMINATION		AMOUNT FOR FILING		
Tomato		1987	RECEIVED	DATE (luguet 24, 1987		
10. IF THE APPLICANT NAMED IS NOT A "PERSO partnership, association, etc.)	ON," GIVE FORM OF	ORGANIZATION (Corporation	FEES REC	AMOUNT FOR CERTIFICATE		
Sunseeds Genetics, Inc.				Nov. 22,1991		
11. IF INCORPORATED, GIVE STATE OF INCORP	PORATION		12, [	DATE OF INCORPORATION		
Delaware  13. NAME AND ADDRESS OF APPLICANT REPRE	SENTATIVE(S), IF A	NY, TO SERVE IN THIS APPL	CATIO	N AND RECEIVE ALL PAPERS		
Gene H. Hookstra			·			
9800 Fairview Rd.						
Hollister, CA 95023		PHONE (Include a	rea code	y: (408) 637-5300		
14. CHECK APPROPRIATE BOX FOR EACH ATTA	and the second street of the feet of					
<ul> <li>a. \( \bigsize \) Exhibit A, Origin and Breeding History of</li> <li>b. \( \bigsize \) Exhibit B, Novelty Statement.</li> </ul>	of the Variety (See See	ction 52 of the Plant Variety Pr	otectio	n Act.)		
c. A Exhibit C, Objective Description of Variety	etv (Request form fro	m Plant Variety Protection Off	ice.)			
d. A Exhibit D, Additional Description of Van						
e. D Exhibit E, Statement of the Basis of App						
15. DOES THE APPLICANT(S) SPECIFY THAT SEE SEED? (See Section 83(a) of the Plant Variety Pr	rotection Act.)	Y BE SOLD BY VARIETY NAM  Yes (If "Yes," answer				
16. DOES THE APPLICANT(S) SPECIFY THAT TH LIMITED AS TO NUMBER OF GENERATIONS	IS VARIETY BE	17. IF "YES" TO ITEM 16, BEYOND BREEDER SE		CLASSES OF PRODUCTION		
Yes X No		Foundation	ПВ	egistered Certified		
18. DID THE APPLICANT(S) PREVIOUSLY FILE	FOR PROTECTION	OF THE VARIETY IN THE L	J.S.?	Yes (If "Yes," give date)		
				X No		
19. HAS THE VARIETY BEEN RELEASED, OFFE	RED FOR SALE, OF	MARKETED IN THE U.S. OF	т отн	FR COUNTRIES ?  Yes (If "Yes," give names of countries and dates)		
				X No		
20. The applicant(s) declare(s) that a viable sam plenished upon request in accordance with s	ple of basic seeds of such regulations as r	this variety will be furnishe nay be applicable.	d with			
The undersigned applicant(s) is (are) the ow distinct, uniform, and stable as required in S Variety Protection Act.	ner(s) of this sexual Section 41, and is en	ly reproduced novel plant va titled to protection under th	riety, a le prov	and believe(s) that the variety is isions of Section 42 of the Plant		
Applicant(s) is (are) informed that false repr	result	in penalties.				
SIGNATURE OF APPLICANT			D	C/10/0D		
X Jene Hruthle		0/10/8/				
SIGNATURE OF APPLICANT				ATE /		
		·				

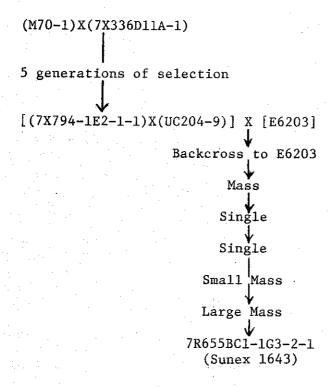
FORM LS-470 (3-86)

## EXHIBIT A

Origin and

Breeding History

Suner 1643



Sunex 1643 was developed by performing a single backcross, using 'E6203' as the recurrent parent, onto an F1 hybrid which carried resistance to <u>Fusarium oxysporum</u> race 2. The source of this resistance was UC204-9.

Sunex 1643 has been stable and uniform through three years of cultivar testing.

### EXHIBIT B

## Novelty Statement

Sunex 1643 most closely resembles 'E6203'; however, Sunex 1643 carries resistance to Fusarium oxysporum race 2.

In addition, Sunex 1643 fruits contain significantly higher soluble solids than 'E6203'. This information is documented by California State Department of Food and Agriculture Inspection Service tests performed in July and August, 1987.\* Fruit size of Sunex 1643 is slightly smaller than 'E6203'.

*Test No.	<u>Date</u>	<u>Variety</u>	(Mean) °Brix	
1	7/27/87	Sunex 1643 E6203	6.0 5.5	
2 2	8/5/87	Sunex 1643 E6203	5.7 5.0	

EXHIBIT C

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN AND SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

# OBJECTIVE DESCRIPTION OF VARIETY

	persicon esculentum (VIIII.)	
NAME OF APPLICANT(S)	TEMPORARY DESIGNATION	VARIETY NAME
Sunseeds	Sunex 1643	
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code)		FOR OFFICIAL USE ONLY
9800 Fairview Road		PVPO NUMBER
Hollister, CA 95023		, at a Manager
		8700194
Choose responses for the following characters which best fit your variety.	Complete this form as fully as po	ossible for best characterization of the variety.
When a single quantitative value is requested (e.g., fruit weight), your answ		
zeroes when necessary (e.g., 0 9 or 0 8 1 , etc.). The app	plicant variety should be compare	d with at least one well-known standard check
variety of the same type (see list of recommended check varieties below),	and grown in the same trials. The	characters on this form should be described from
plants grown under normal conditions of culture for the variety. Indicate	by a check whether trial data are	from greenhouse or field _X plantings
Trials direct-seeded X or transplanted ; staked or un All California locations-Fresno Co 3/4/8	staked $\frac{X}{4/10/86}$ . Give locations as	nd dates of seeding and transplanting here: San Joaquin Co4/3/86,4/10/86
4/26/86. Solano Co4/22/86. Yolo Co4/	21/86. Los Banos.M	erced Co4/2/87. Hollister-
San Benito Co5/20/87.		
COMPARISONS SHOULD BE MADE TO ONE OR MORE CHECK VARI	ETIES IN THE EQUI OWING I'I	ST IE AT ALL POSSIBLE ENTER THE NUMBER
OF THE CHECK IN BOXES WHERE IDENTITY OF CHECK IS REQUES	STED.	ST, II AT ALL POSSIBLE. LIVER THE NOWBER
1 = Ace 55 VF 7 = Homestead 24	13 = Red Rock	19 = VF 134
2 = Campbell 37 8 = Marglobe	14 = Roma VF	20 = US 28
3 = Chico III 9 = Murietta	15 = Rutgers	21 = VF 145 B 7879
4 = Flora Dade 10 = New Yorker 5 = Florida MH-1 11 = Ohio MR-13	16 = Sunray 17 = Tropic	22 = Other <i>(Specify)</i> <u>E6203</u>
6 = Heinz 1350 12 = Red Cherry Large	17 = 1 ropic 18 = UC 82	
72 (100 51101) 44135		
1. SEEDLING:		
	<u> </u>	
Anthocyanin in hypocotyl of 2-15 cm, seedling: 1 = Absent	t $2 = Present                                   $	of 3-4 week old seedling: 1 = Normal 2 = Compact
2. MATURE PLANT (at maximum vegetative development):	0 6 6 Cm. He	eight
2 Growth: 1 = Indeterminate 2 = Determinate		
Z Growth. 1 - Indeterminate 2 - Determin	rate	
2 Form: 1 = Lax, open 2 = Normal	3 = Compact 4 = Dwarf	5 = Brachytic
Size of canopy (compared to others of similar type):	1 = Small 2 = Medium	n 3 = Large
Habit: 1 = Sprawling (decumbent)	2 = Semi-erect 3 = E	Erect ('Dwarf Champion')
[2]		
3. STEM:	•	
3   Branching: 1 - Sparce / Prohm's Calid Bod' (Eiraba	110) O - Internet distant	(Michael (1) 10 991)
Branching: 1 = Sparse ('Brehm's Solid Red', 'Fireba	ll') 2 = Intermediate (	'Westover') 3 = Profuse ('UC 82')
Branching at cotyledonary or first leafy node: 1	= Present 2 = Absent	•
Drandsmig at ootyloodstary of matter, material	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	•
No, of nodes below the first inflorescence: 1 = 1-4	2 = 4-7 3 = 7-10	4 = 10 or more
2 No. of nodes between early (1st - 2nd, 2nd - 3rd) inflorescen	ces. [2_] No. o	f nodes between later-developing inflorescences.
3 Pubescence on younger stems: 1 = Smooth (no lon	g hairs) 2 = Sparsely	hairy (scattered long hairs)
3 = Moderately hair		hairy or wooly
4. LEAF (mature leaf beneath the 3rd inflorescence):		
[ ]	<u>ন</u>	
Type: 1 = Tomato 2 = Potato ('Trip-L-Crop')	Morphology (choose illustra	tion on pg. 5 of this form that is most similar)
3 Margins of major leaflets: 1 = Nearly entire	2 = Shallowly to	pothed or scalloped
	or cut, esp. towards base	
Marginal rolling or wiltiness: 1 = Absent 2 = Slight	3 = Moderate 4 = S	trong
I Absent 2 digit	-	-
2 Onset of leaflet rolling: 1 = Early-season	2 = Mid-season	3 = Late season

4.	LE/	AF (m	ature leaf beneath the 3	Brd inflorescence co	ntinueಚ):				
		2	Surface of major leafle	, ,	= Smooth	2 = Rugose	(bumpy or veiny)	1	
-	· ! · .	2	Pubescence: 1 = Sm	ooth (no long hairs)	2 = Normal	3 = Hir	sute 4	= Wooly	<b>v</b>
5.	INF	LOR	ESCENCE (make observ	vations on 3rd inflore	scance):	···		. /	
	4	1	]	· · · ·	= Forked (2 major axe	s) 3 = Compou	ınd (much branche	.;" <b>d)</b>	
	0	5	Number of flowers in i	inflorescence, average					
		1	Leafy or "running" int	Florescences: 1 =	- Absent	2 = Occasional	3 = Frequent		
6.	FLO	OWER	l:						
		1	Calyx: 1	= Normal, lobes awl-s	haped	2 = Macrocalyx, lobes larg	e, leaflike	3 = Fleshy	1 2 1
		1	Calyx-lobes: 1 =	= Shorter than corolla	2 = App	prox. equalling corolla	3 = Distinc	tly longer than core	olla :
			Corolla color: 1 =	= Yellow 2 =	Old gold	3 = White or tan	•	<i>t.</i>	
	**************************************		Style pubescence:	1 = Absent	2 = Sparse	3 = Dense	•	digital section of the section of th	
			Anthers: 1 =	= All fused into tube	2 = Sep	arating into 2 or more gro	ups at anthesis		
			Fasciation (1st flower of	of 2nd or 3rd inflores	cence): 1 = Abs	ent 2 = Occasion	ally present	3 = Frequently p	resent
7.	FR	UIT (	3rd fruit of 2nd or 3rd o	duster): For the first	5 characters below, n	natch your variety with th	e most similar illus	tration on pg. 5 of	this form.
		3	Typical fruit shape:	3	Shape of transverse s	ection:	1 Shape of ste	em end:	
				2	Shape of blossom en	d: [	Shape of pis	til scar:	
			•	121		L	<u>.</u>		
	31	1	Abscission layer: 1	= Present (pedicellate	e) 2 = Absent (joint	less) 1 Point of det	tachment of fruit a	t harvest: 1 = At pe	edicel joint
	1	3	mm length of pedicel	(from joint to calyx	attachment)			2 = At ca	llyx attachmen
0	5	7	mm length of mature	fruit (stem axis) .		5 8 mm length,	, check var, no.	[	2 2
0	5	7	mm diameter of fruit	at widest point	0	5 9 mm diamet	er, check var. no.	[	2 2
0	7	0	g weight of mature fro	uit		7 6 g weight, ch	neck var. no	· · · · [	2 2
		2	No, of locules:	1 = Two	2 = Three and four	3 = Five or mor			
	j	1	Fruit surface:	1 = Smooth	2 = Slightly rough	•	rough or ribbed		ar territoria. F
	j	2	Fruit base color	1 = Light green ('La		,	reen ('Westover')		
			(mature-green stage):		m green ('Heinz 1439			•.	٠.
٠	[	1	Fruit pattern (mature-green stage):	1 = Uniform green	2 =	Green-shouldered	3 =	Radial stripes on sig	des of fruit
			Shoulder color if differ	rent from base:	1 = Dark green	2 = Grey green	3 = Yel	llow green	
		5	Fruit color, full-ripe:	1 = White 6 = Brownish	2 = Yellow 7 = Greenish	3 = Orange 8 = Other (Specify)	4 = Pink `	5 = Red	
	[	3	Flesh color, full-ripe:	1 = Yellow	2 = Pink	3 = Red/Crimson	4 = Orange	5 = Other (Speci	fy)
	, [	1	Flesh color:	1 = Uniform	2 = With lighter and o	darker areas in walls		· · · · · · · · · · · · · · · · · · ·	
		3	Locular gel color of tab	ole-ripe fruit:	1 = Green	2 = Yellow	3 = Red		•
	Ī	<u> </u>	Ripening:	1 = Biossom-to-stem		Uniform			

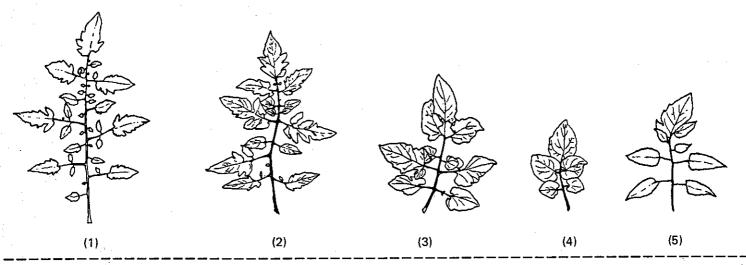
7. FRUIT (3rd fruit of 2nd or 3rd cluster): Continued								
	Ripening	<b>j:</b>	1 = Inside out	2 = Uniformly	3	= Outside in	1	Stem scar size: 1 = Small ('Roma')
2	Epiderm	is color:	1 = Colorless	2 = Yellow			[ <del></del>	2 = Medium ('Rutgers') 3 = Large
1	Epidermi	is:	1 = Normal	2 = Easy-peel			1	Core: 1 = Coreless (absent or smaller than 6x6 mm) 2 = Present
3	Epidermi	is texture:	1 = Tender	2 = Average		3 = Tough		
3	Thicknes	s of pericarp		3		Thickness of period	carp, checl	k var. no. 2 2
	;*		1 = Under 3 mm	2 = 3-6 mm		3 = 6-9 mm		4 = Over 9 mm
8. RE	SISTANCE	TO FRUIT D	DISORDERS (Use code: 0	= Unknown, 1 = :	Suscep	tible, 2 = Resistant	)	
0	Biossom	end rot	2 Catface			0 Fruit pox		2 Zippering
	Blotchy	ripening	2 Crackin	g, concentric		O Gold fleck		Other (Specify)
لما	Bursting		2 Cracking	g, radial		0 Graywall		
9. DIS	EASE AND	PEST REAC	TION (Use code: 0 = Not	tested, 1 = Susce	ptible,	2 = Resistant). NO	TE: If cl	aim of novelty is based wholly or in substantia
part	upon disea	ase resistance,	trial data should be append k varieties grown in the tria	fed. These should	specif	y the method of te	sting, the	reaction of the application variety, and
		VIRAL DIS		, (lacitation by the	airie,.			
	· [0]	Cucumber m		0 <sub>Tobac</sub>	co mo	saic, Race 0	0 <sub>Tob</sub>	pacco mosaic, Race 2 <sup>2</sup>
		Curly top				saic, Race 1		nato spotted wilt
		Potato-Y viru	ıs			saic, Race 2		nato yellows
	0	Other virus (	Specify)					
		BACTERIA	AL DISEASES:					
	0		nker <i>(Corynebacterium mi</i>	chiganense)	0	Bacterial spot (X	anthomor	nas vesicatorium)
		Bacterial sof	t rot (Erwinia carotovora)		0	Bacterial wilt, (P	seudomon	nas solanacearum)
	0	Bacterial spe	eck (Pseudomonas tomato)		0	Other bacterial d	isease (Sp	ecify)
		FUNGAL I	DISEASES:					
	0	Anthracnose	(Colletotrichum spp.)		0	Leaf mold, Race	1 (Clados	porium fulvum)
	0	_	rot or corky root, ta lycopërsici)		0	Leaf mold, Race	2	
		Collar rot or	stem canker,		0	Leaf mold, Race	3	
	0	(Alternaria s	olani)		0	Leaf mold, other	races (Sp	ecify)
		Early blight (Alternaria se	· · · · · · · · · · · · · · · · · · ·					
	2	Fusarium wil	It, Race 1, im f. lycopersici)			Nailhead spot (A	lternaria t	omato)
	2	Fusarium wil				Septoria leafspot	(S. lycopi	ersici)
	0	Fusarium wil			0	Target leafspot (0	Corynespo	ra casiicola)
			ot (Stemphylium spp.)	·	2	Verticillium wilt,	Race 1 /	V. albo-atrum)
	ات	Late blight, I			0	Verticillium wilt,	Race 2	
	0	(Phytophthol			$\overline{\Box}$	Other fungal dise	ase	
	0	Late blight, I	Race 1			Other fungal dise	ase	

FORM LMGS-470-55 (2-82)

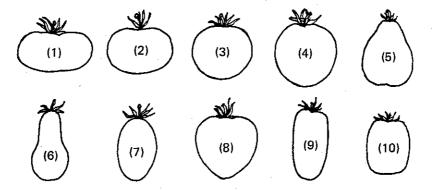
9. DISEASE AND PEST REACTION (Use code:	9. DISEASE AND PEST REACTION (Use code: 0 = Not tested, 1 = Susceptible, 2 = Resistant - Continued)							
INSECTS AND PESTS:								
O. Colorado potato beetle (Leptinotarsa dece	emlineata) 0 Tom	ato hornworm (Manduca qu	uinquemaculata)	<b>3</b>				
Southern root knot nematode (Meloidogy	ne incognita) 0 Tom	ato fruitworm (Heliothis ze	a)					
0 Spider mites (Tetranychus spp.)	0 White	efly <i>(Trialeurodes vaporario</i>	orum)					
Sugar beet army worm (Spodoptera exigua	o) Othe	r <i>(Specify)</i>						
Tobacco flea beetle (Epitrix hirtipennis)								
POLLUTANTS:								
0. Ozone 0 Sulfur dioxid	de Othe	(Specify)		· .				
10. CHEMISTRY AND COMPOSITION OF FUI Canners Assn. Bull. 27-L. Please specify tes for at least one well-known check variety of	t methods or give a referer	nce to methods used. Fill i	n table below with values :	for the new variety and				
	SUBMITTED VARIETY	Check Variety E6203	Check Variety	Check Variety				
рН	4.36	4.36						
Titratable acidity, as % citric	Ń/A	N/A						
Total solids (dry matter, seeds and skin removed)	N/A	N/A	į · · · ·	. ;				
Soluble solids, as <sup>O</sup> Brix	5.7	5.2						
11. PHENOLOGY: Express length of developmental stages either as calendar days or as heat units (growing degree days), in degrees Celsius. If heat units are used, indicate the base temperature used in their calculation hereOC. See paper by Warnock under "References" for method. Give comparative data for at least one check variety; identify checks by name or by number from table on page 1.  APPLICATION								
Seeding to 50% flower (1 open flower on 50% of plants)	57	58						
Emergence Seed to once-over harvest (if applicable)	116	116						
	ng ('Marglobe') ry concentrated ('UC 82')	2 = Medium ('Westover')	3 = Short, conce	ntrated ('VF'145')				
Relative maturity in areas tested:  1 = Early 2 = Medium early 3 = Medium 6 = Variable (if relative maturity is known to differ by location or environment, please explain on separate sheet).								
12. ADAPTATION: If more than one category applies, list all in rank order.								
0 1 Culture: 1 = Field 2 = Greenhouse								
0 3 0 4 Principal use(s): 1 = Home garden 2 = Fresh market 3 = Whole-pack canning 4 = Concentrated products 5 = Other (Specify)								
Machine harvest: 1 = Not adapted 2 = Adapted								
0 9 1 0 Regions to which adaptation has been demonstrated:								
1 = Northeast 2 = Mid Atlantic 3 = Southeast 4 = Florida 1981 5 = Great Plains 6 = South-central 7 = Intermountain West 9 = California: Sacramento and Upper San Joaquin Valley								
9 = California: Sacramento and Upper San Joaquin Valley  10 = California: Coastal areas  11 = California: Southern San Joaquin Valley & desprite.  Projection								
			1	(m)				

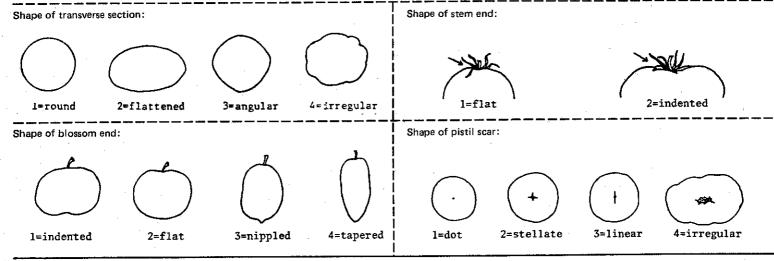
FORM LMGS-470-55 (2-82)

#### 4. LEAF: Morphology:



### 7. FRUIT: Typical fruit shape:





#### REFERENCES

Anonymous, 1976. All About Tomatoes. Ortho Books, Chevron Chemical Co., San Francisco. In three volumes: Midwest/Northeast Edition, West Edition, and South Edition

Ware, G.W. & J. P. McCollum, 1968. Producing Vegetable Crops. The Interstate Printer & Publishers, Inc., Danville, Illinois. Chapter 30, pp. 451-473, "Tomatoes".

Warnock, S.J. 1978. Using Tomato Heat Units. Leaflet No. 6, Campbell Institute for Agricultural Research, Camden, NJ. 10 p.

Webb, R.E., T. H. Barksdale, & A. K. Stoner, 1973, "Tomatoes", pp. 344-361, In: Nelson, R.R. (Ed.), Breeding Plants for Disease Resistance. Pennsylvania State University Press, University Park.

Young, P.A. & J.W. MacArthur, 1947. Horticultural characters of tomatoes. Bull. Texas Agric. Exper. Station No. 698.

#### EXHIBIT D

### Additional Dscription

Sunex 1643 is a medium early maturing, blocky-shaped processing tomato, Lycopersicon esculentum L., developed for mechanical harvest.

Plants are determinate, medium size and the vine canopy provides good fruit cover. Leaves are medium green in color.

Fruits are very firm with thick carpel walls, and are smooth, with uniform shape. Stem scars and cores are small. Fruits stem well during harvest, and exhibit good crack resistance. Limited use is low.

Processing characteristics include high soluble solids, mediumhigh viscosity, acceptable pH, and high comminuted color.

Disease resistance is known to include  $\underline{\text{Fusarium}}$  wilt races 1 and 2, and  $\underline{\text{Verticillium}}$  wilt race 1.

8700194 MAA 1884+1991

## EXHIBIT E

Variety Sunex 1643 was originated and developed by Gary Campbell. By agreement between employee and company, all rights to any invention, discovery, or development made by an employee are assigned to the company. No rights to such invention, discovery, or development are retained by employee.